THE

MYSORE GAZETTE.

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☞ Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART II.

Notifications by the Govt. of India; Resident; Chief Judge, &c.

JUDICIAL DEPARTMENT.

NOTIFICATION.

The 6th June 1883.

The undermentioned gentleman has been enrolled as an Advocate in the Chief Court of Mysore, under the Rules of 18th February 1879 :—

Mr. Thomas Ward Laing .. Attorney of the High Court of Judicature at Madras.

C. G. PLUMER,
Ag. Chief Judge.

IN THE CHIEF COURT OF MYSORE.

Civil Side.

Rule of Practice No. 48, *dated* 30*th May* 1883.

The Acting Chief Judge directs that the following rules, laid down by the High Court of Madras, be adopted by the Courts in Mysore, in dealing with applications for the production and inspection of public or official documents, &c.

1. When a Civil Court shall determine under Section 167 of the Code of Civil Procedure, to send for from any Public Office or any Court any public document or official paper, it shall issue a summons in the form appended.

2. When public or official documents from any Court or Public Office are produced at the hearing of the suit by an Officer deputed for that purpose, the said documents shall be inspected in open Court and unless required as exhibits in the suit before the Court, or retained for the presiding Judge's personal inspection, shall be returned to the Officer producing them.

3. When such documents are retained, a receipt containing a descriptive list of the documents shall be given to the Officer producing them, and a duplicate of the receipt placed with the documents. Any apparent erasure or alteration in any document shall be noted in the said list.

4. The said documents shall, as long as they remain in the custody of the Court which required their production, be kept in a sealed packet properly labelled, and this packet shall not be opened except in the presence of the presiding Judge.

5. The Appellate Courts shall observe the same rules as regards public documents connected with appeals coming before them and it shall be their duty to see that the Lower Courts observe the instructions herein conveyed.

6. When official papers are transmitted from any Court or Office by post, the packet shall be opened in the presence of the presiding Judge and the papers compared with the list accompanying. The instructions conveyed in Rules 3 and 4 shall then be observed.

7. Whenever it shall appear that any public documents received from any Court or Office are no longer required, the said documents shall be returned in a sealed packet to the Court or Office whence they came.

Form of Summons under Section 137.

In the Court of

Original Suit No. of

} Plaintiff.

} Defendant.

To

Whereas it appears to this Court that a perusal of the undermentioned papers, now in your custody, will tend to elucidate the facts of the suit (or appeal) now before this Court, you are hereby requested to cause the said papers to be produced in this Court, or to transmit the said papers to this Court, on or before (here name date of hearing of suit)

(Here enter description of document.)

Signed

Large Seal.

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8. Any Officer having the custody of records, not being records of which the production may on special grounds (*e. g.* Sections 123, 124, Indian Evidence Act) be refused, is bound to produce them on receiving a summons to that effect. The summons should properly be addressed to the Judge or presiding Officer of the Court.

As a matter of official courtesy it is desirable that a summons for records, when issued by one Court to another Court, should be accompanied by a letter intimating in all cases in which it may not be necessary to examine the Judge or presiding Officer himself, that the attendance of a Ministerial Officer to produce the records is all that is required, and the Chief Court directs that this courtesy be observed in all cases in which a Judicial Officer has occasion to call for records from another Court.

By Order of the Court,

S. HAMAJEE ROW,
Registrar.